In Re Application of: Yukio KATO et al

Application No.: 10/049,957

Filed: February 19, 2002

For: CHONDROGENESIS PROMOTERS

UNITED STATES PATENT AND TRADEMARK OFFICE Art Unit: 1647

Examiner: JON MCCLELLAND LOCKARD

OR

OR

Washington, D.C.

Atty.'s Docket: KATO=21

Date: December 28, 2004

THE COMMISSIONER OF PATENTS 2011 South Clark Place, Mail Stop Amendment Crystal Plaza Two, Lobby, Room 1803

Arlington, VA 22202

Confirmation No. 8967

Sir:

Transmitted herewith is a [XX] REPLY: AMENDMENT AND REMARKS in the above-identified application.

- [ ] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.
  - No additional fee is required.
- [XX] The fee has been calculated as shown below:

(Col. 1)			(Col. 2)	(Col. 3)			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS			
TOTAL	* 26	MINUS	** 24	2			
INDEP.	* 8	MINUS	*** 6	2			
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM							

SMAL	SMALL ENTITY				
RATE	ADDITIONAL FEE				
x 25	\$				
x 100	\$				
+ 180	\$				
ADDITIONAL FEE TOTAL	\$				

OTHER THAN SMALL ENTITY							
RATE		ADDITIONAL FEE					
×	50 ·	\$	100.00				
×	200	\$	400.00				
+	360	\$					
	TOTAL	\$	500.00				

164 JA CC

If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

	Small Entity		Other Than Small Entity			
	Response Filed Within	Response Filed Within				
	[ ] First - \$ 60.00	[ ]	First	- \$ 120.00		
	[ ] Second - \$ 225.00	[ ]	Second	- \$ 450.00		
	[ ] Third - \$ 510.00	[XX]	Third	- \$ 1020.00		
	[ ] Fourth - \$ 795.00	[ ]	Fourth	- \$ 1590.00		
	Month After Time Period Set	Month A	Month After Time Period Set			
[ ]	[ ] Less fees (\$) already paid for month(s) extension of till  Please charge my Deposit Account No. 02-4035 in the amount of \$			<u> </u> ·		
[XX]	Credit Card Payment Form, PTO-2038, is attached, authorizing payment in	n the amount of	\$ <u>1520.00</u> .			
[ ]	A check in the amount of \$ is attached (check no. ).					
[XX]	The Commissioner is hereby authorized and requested to charge any additional overpayment to Deposit Account No. 02-4035. This authorization and requested to the commission of					

nnection with this application or credit any associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

12/29/2004 MNGUYEN1 00000073 10049957

03 FC:1253

1020.00 OP

Facsimile: (202) 737-3528 Telephone: (202) 628-5197

Attorneys for Applicant(s)

BROWDY AND NEIMARK, P.L.L.C.

Anne M. Kornbáu Registration No. 25,884